

Comment to the FCC on its Further Notice of Proposed Rulemaking
(Announcement at the FCC Open Meeting, June 10, 2004)
"SHOULD VRS SERVICES BE MANDATED?"

Mandate (**man-dat-e**): To make mandatory, as by law; decree or require

PREAMBLE:

We, the undersigned ratepayers, taxpayers, and members of the Deaf and Hard of Hearing population, in order to live more productive and independent lives, request the Federal Communications Commission (FCC) to embrace equal telecommunication access by ruling that Video Relay Service (VRS) provides functionally equivalent telephone service for today's world. Specifically, we urge the FCC to respond to the previous docket of the Petition for Rulemaking submitted by the California Coalition of Agencies Serving the Deaf and Hard of Hearing, filed on May 27, 2004. That petition requests the FCC to mandate VRS nationwide in order to make VRS a permanent and effective communication service.

We, the undersigned, object to decisions being made affecting our access to telephone services, which in turn impacts the quality of our lives, without appropriate consumer input. The comments of citizens and service providers in previous Docket 98-67, clearly indicated the need for mandating VRS are falling on 'deaf ears.'

We, the undersigned, declare that traditional text-to-voice relay is NOT functionally equivalent telephone service. Traditional relay does not convey nuances of expression, and is far slower because of long pauses that inhibit the natural flow of conversation. Traditional relay also cannot be used by deaf senior citizens, children, and immigrants who have difficulty communicating in written English. Yet it appears that the FCC persists in its belief that traditional TRS, developed by deaf and hard of hearing agencies more than 30 years ago, is sufficiently "equivalent" telephone service for deaf and hard of hearing people.

We, the undersigned, maintain that VRS is currently the most "functionally equivalent" means of telephone communication for many deaf and hard of hearing consumers. The Americans with Disabilities Act (ADA), which governs relay services, requires the FCC to take advantage of new technologies that can improve access to the telephone network by deaf and hard of hearing people. The widespread use of computers, the Internet, and affordable video technology all came about after the ADA was enacted. As do other Americans, people who are deaf and hard of hearing wish to be able to take advantage of these innovative technologies. As our nation surges ahead in the use of new and exciting broadband telecommunications and information services, it is unfair and inappropriate to assume that deaf and hard of hearing communities should continue to rely on substandard and outdated services. If the FCC delays much longer in mandating VRS, it will leave people who are deaf and hard of hearing in a technological and discriminatory time warp.

We, the undersigned, support high quality VRS should include the following features: (1) on demand service available 7 days a week, 24 hours a day, (2) short call waiting times/mandated average speeds of answer, (3) user friendly interfaces, (4) competent interpreters, (5) E911 access, (6) video mail that is functionally equivalent to voice mail, and (7) interoperability across VRS providers. Funding for VRS needs to be sufficient to support these high quality services. To this end, the funding mechanism and its criteria need to be standardized so that all VRS providers can offer the same functionally equivalent VRS. Further delays in mandating and standardizing VRS funding leave Deaf and Hard of Hearing consumers without quality assurances and cuts against the national trend to expand Internet-based services.

Therefore, by signing our names to this petition, we the Deaf and Hard of Hearing consumers of the United States of America, ask that we not be relegated to second class status when it comes to our nation's telephone services. We demand the FCC, as required by the ADA, to **mandate** VRS, period.

Entering for this petition is the National VRS Coalition, supported by the following undersigned: